

**RECEIVED**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISIONJUN 26 2008 *new*  
Jun 26, 2008  
MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURTJames G. Turner - et al.,(Enter above the full name  
of the plaintiff or plaintiffs in  
this action)

08CV3664

vs.

JUDGE MORAN

MAGISTRATE JUDGE ASHMAN (it)

Jodi Harmon; UnknownDefendant Nurse; Dr.Mikhail Magdell; A.Feinerman; Ms. Howie;L. Goforth; Donald A.Hulick; Roger Walker, Jr., \*(Enter above the full name of ALL  
defendants in this action. Do not  
use "et al.")

## CHECK ONE ONLY:

COMPLAINT UNDER THE CIVIL RIGHTS ACT, TITLE 42 SECTION 1983  
U.S. Code (state, county, or municipal defendants)COMPLAINT UNDER THE CONSTITUTION ("BIVENS" ACTION), TITLE  
28 SECTION 1331 U.S. Code (federal defendants)

OTHER (cite statute, if known)

**BEFORE FILLING OUT THIS COMPLAINT, PLEASE REFER TO "INSTRUCTIONS FOR  
FILING." FOLLOW THESE INSTRUCTIONS CAREFULLY.**\* Defendant Unknown Correctional Guards and Administrator  
of Chester Memorial Hospital.

**I. Plaintiff(s):**

- A. Name: James G. Turner-ee
- B. List all aliases: None
- C. Prisoner identification number: N- 01161
- D. Place of present confinement: Menard Correctional Center
- E. Address: P.O. Box 711 / Chester, IL. 62259

(If there is more than one plaintiff, then each plaintiff must list his or her name, aliases, I.D. number, place of confinement, and current address according to the above format on a separate sheet of paper.)

**II. Defendant(s):**

(In A below, place the full name of the first defendant in the first blank, his or her official position in the second blank, and his or her place of employment in the third blank. Space for two additional defendants is provided in B and C.)

- A. Defendant: Jodi Harmon  
 Title: Registered Nurse / CMT  
 Place of Employment: Menard Correctional Center of the Illinois Dept. of Corrections
- B. Defendant: Mitchell Magdell  
 Title: Medical Doctor  
 Place of Employment: Menard Corr. Ctr. of the Ill. Dept of Corrections
- C. Defendant: Adrian Feinerman  
 Title: Medical Doctor / Director  
 Place of Employment: Menard Corr. Ctr. of the Ill. Dept. of Corrections

(If you have more than three defendants, then all additional defendants must be listed according to the above format on a separate sheet of paper.)

D. Ms. Howie

Title: Counselor

Employer: Menard Corr. Ctr. of the Illinois Dept of Corrections

E. L. Goforth

Title: Counselor

Employer: Menard Corr. Ctr. of the Illinois Dept. of Corrections

F. Donald A. Hulick

Title: Warden Menard Corr. Ctr.

Employer: Illinois Dept of Corrections

G. Roger Walker Jr.,

Title Director Ill. Dept. of Corrections

Employer Ill. Dept. of Corrections

H. Unknown Defendant Nurse

Title: Registered Nurse

Employer: Menard Corr. Ctr. of the Ill. Dept. of Corrections

I. Unknown Defendant Correctional Guards

Employer: Menard Corr. Ctr. of the Ill. Dept. of Corrections

J. Unknown Hospital Administrator

Title: Hospital Administrator

Employer: Chester Memorial Hospital.

**III. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court in the United States:**

- A. Name of case and docket number: (See attached Pages)
- B. Approximate date of filing lawsuit: (See attached Pages)
- C. List all plaintiffs (if you had co-plaintiffs), including any aliases: (See Pages)
- D. List all defendants: (See Pages)
- E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): (See Pages)
- F. Name of judge to whom case was assigned: (See Pages)
- G. Basic claim made: (See Pages)
- H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): (See Pages)
- I. Approximate date of disposition: (See Pages)

**IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.**

# U.S. Party/Case Index

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Selections 1 through 27 (Page 1)

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Name	Court	Case No.	Filed	NOS	Closed
1 TURNER-EL, JAMES G <u>ilcdc</u>		<u>2:1989cv02210</u>	07/14/1989	550	10/29/1990
TURNER-EL vs. DILLMAN					
2 TURNER-EL, JAMES G <u>ilcdc</u>		<u>2:1989cv02211</u>	07/14/1989	550	11/20/1990
TURNER-EL vs. GOSKIE					
3 TURNER-EL, JAMES G <u>ilcdc</u>		<u>2:1989cv02212</u>	07/14/1989	550	10/29/1990
TURNER-EL vs. PETERS					
4 TURNER-EL, JAMES G <u>ilcdc</u>		<u>2:1989cv02213</u>	07/14/1989	550	11/24/1989
TURNER-EL vs. LANE					
5 TURNER-EL, JAMES G <u>ilcdc</u>		<u>2:1989cv02214</u>	07/14/1989	550	11/15/1990
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6 TURNER-EL, JAMES G <u>ilcdc</u>		<u>2:1989cv02215</u>	07/14/1989	550	11/24/1989
TURNER-EL vs. LANE					
7 TURNER-EL, JAMES G <u>ilcdc</u>		<u>2:1989cv02216</u>	07/14/1989	550	11/24/1989
TURNER-EL vs. SHANSKY					
8 TURNER-EL, JAMES G <u>ilcdc</u>		<u>2:1989cv02217</u>	07/14/1989	550	10/29/1990
TURNER-EL vs. PETERS					
9 TURNER-EL, JAMES G <u>ilcdc</u>		<u>2:1989cv02218</u>	07/14/1989	550	10/29/1990
TURNER-EL vs. PETERS					
10 TURNER-EL, JAMES G <u>ilcdc</u>		<u>2:1989cv02219</u>	07/14/1989	550	10/29/1990
TURNER-EL vs. PETERS					
11 TURNER-EL, JAMES G <u>ilcdc</u>		<u>2:1989cv02220</u>	07/14/1989	550	10/29/1990
TURNER-EL vs. GOSKIE					
12 TURNER-EL, JAMES G <u>ilcdc</u>		<u>2:1989cv02221</u>	07/14/1989	550	10/29/1990
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13 TURNER-EL, JAMES G <u>ilcdc</u>		<u>2:1989cv02222</u>	07/14/1989	550	10/29/1990
TURNER-EL vs. LANE					
14 TURNER-EL, JAMES G <u>ilcdc</u>		<u>2:1989cv02223</u>	07/14/1989	550	10/29/1990
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15 TURNER-EL, JAMES G <u>ilcdc</u>		<u>2:1989cv02224</u>	07/14/1989	550	11/24/1989
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16 TURNER-EL, JAMES G ilede 2:1989cv02225 07/14/1989 550 11/24/1989  
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17 TURNER-EL, JAMES G ilede 2:1989cv02305 10/16/1989 550 07/03/1990  
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18 TURNER-EL, JAMES G ilede 2:1990cv02254 08/03/1990 550 05/13/1992  
TURNER-EL vs. PETERS  
19 TURNER-EL, JAMES G ilede 2:1990cv02275 08/13/1990 550 01/18/1991  
TURNER-EL vs. MCGINNIS  
20 TURNER-EL, JAMES G ilede 2:1990cv02277 08/20/1990 550 01/31/1991  
TURNER-EL vs. PETERS  
21 TURNER-EL, JAMES G ilede 2:1990cv02293 08/31/1990 550 12/29/1992  
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22 TURNER-EL, JAMES G ilede 2:1990cv02294 08/31/1990 550 03/05/1993  
TURNER-EL vs. MCGINNIS  
23 TURNER-EL, JAMES G ilede 1:1993cv01054 02/10/1993 550 03/30/1993  
TURNER-EL vs. LOWERY  
24 TURNER-EL, JAMES G ilede 1:1993cv01058 02/10/1993 550 03/30/1993  
TURNER-EL vs. PETERS  
25 TURNER-EL, JAMES G ilede 1:1993cv01059 02/10/1993 550 04/22/1993  
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26 TURNER-EL, JAMES G ilede 1:1993cv01069 02/18/1993 550 04/22/1993  
TURNER-EL vs. BAKER  
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TURNER-EL vs. CRAINE

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2 TURNER-EL, JAMES G	ilndc	1:1989cv05004		550	
TURNER vs. STRUBBE, ET AL					
3 TURNER-EL, JAMES G	ilndc	1:1993cv04918	09/12/1994	550	06/03/1997
TURNER-EL vs. IL BD OF ED					
4 TURNER-EL, JAMES G	ilndc	1:1993cv04919	01/28/1994	550	01/28/1994
TURNER-EL vs. CRAINE					
5 TURNER-EL, JAMES G	ilndc	1:1993cv04967	01/28/1994	550	01/28/1994
TURNER-EL vs. PETERS					
6 TURNER-EL, JAMES G	ilndc	1:1993cv04968	01/28/1994	550	01/28/1994
TURNER-EL vs. IL DEPT CORR					
7 TURNER-EL, JAMES G	ilndc	1:1993cv04969	01/28/1994	550	01/28/1994
TURNER-EL vs. GODINEZ					
8 TURNER-EL, JAMES G	ilndc	1:1993cv04970	01/28/1994	530	01/31/1994
TURNER-EL vs. GODINEZ					
9 TURNER-EL, JAMES G	ilndc	1:1993cv05160	01/28/1994	550	01/28/1994
TURNER-EL vs. PETERS					
10 TURNER-EL, JAMES G	ilndc	1:1993cv05161	01/28/1994	550	01/28/1994
TURNER-EL vs. GODINEZ					
11 TURNER-EL, JAMES G	ilndc	1:1993cv05162	01/28/1994	550	01/28/1994
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12 TURNER-EL, JAMES G	ilndc	1:1996cv06323	06/18/1997	550	03/02/1998
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13 TURNER-EL, JAMES G	ilndc	1:1996cv06368	02/26/1997	550	02/26/1997
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14 TURNER-EL, JAMES G	ilndc	1:1997cv00022	09/04/1997	555	09/04/1997
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15 TURNER-EL, JAMES G	ilndc	1:1997cv01818	03/17/1997	555	01/26/1998
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16 TURNER-EL, JAMES G	ilndc	1:1997cv02272	04/16/1997	555	04/16/1997

16 TURNER-EL, JAMES G [ilndc](#) [1:1997cv02373](#) 04/10/1997 555 04/10/1997  
TURNER-EL vs. PAGE

17 TURNER-EL, JAMES G [ilndc](#) [1:1997cv05822](#) 08/15/1997 555 02/25/1998  
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18 TURNER-EL, JAMES G [ilndc](#) [1:2001cv07163](#) 12/19/2001 550 09/26/2001  
TURNER-EL vs. AGNELLO

19 TURNER-EL, JAMES G [ilndc](#) [1:2001cv08623](#) 11/08/2001 550 11/30/2001  
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20 TURNER-EL, JAMES G [ilndc](#) [1:2001cv08930](#) 11/27/2001 550 11/27/2001  
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17 TURNER EL, JAMES G ilsdc 3:1998cv00378 05/11/1998 555 05/20/1998  
TURNER EL vs. HARTMAN

18 TURNER EL, JAMES G ilsdc 3:1998cv00386 05/11/1998 555 05/20/1998  
TURNER EL vs. RENNISON

19 TURNER EL, JAMES G ilsdc 3:1998cv00775 10/26/1998 555 01/29/1999  
TURNER EL vs. MAYO

20 TURNER EL, JAMES G ilsdc 3:1998cv00873 12/07/1998 555 02/18/1999  
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21 TURNER EL, JAMES G ilsdc 3:1998cv00874 12/07/1998 555 01/20/1999  
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22 TURNER EL, JAMES G ilsdc 3:1998cv00875 12/07/1998 555 01/18/2000  
TURNER EL vs. INTERNAL AFFAIRS

23 TURNER EL, JAMES G ilsdc 3:1999cv00013 01/07/1999 555 08/14/2000  
TURNER EL vs. PAGE

24 TURNER EL, JAMES G ilsdc 3:1999cv00283 04/26/1999 555 04/29/1999  
TURNER EL vs. FEINERMAN

25 TURNER EL, JAMES G ilsdc 3:1999cv00284 04/26/1999 555 01/19/2000  
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26 TURNER EL, JAMES G ilsdc 3:2001cv00247 04/10/2001 555  
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27 TURNER EL, JAMES G ilsdc 3:2001cv00248 04/10/2001 555  
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28 TURNER EL, JAMES G ilsdc 3:2001cv00270 05/01/2001 530 06/26/2001  
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29 TURNER EL, JAMES G ilsdc 3:2001cv00274 05/03/2001 530 02/26/2002  
TURNER EL vs. COWAN

30 TURNER EL, JAMES G ilsdc 3:2001cv00287 05/08/2001 555 07/10/2001  
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31 TURNER EL, JAMES G ilsdc 3:2001cv00298 05/10/2001 530 08/17/2001  
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32 TURNER EL, JAMES G ilsdc 3:2001cv00299 05/10/2001 555 03/13/2002  
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33 TURNER EL, JAMES G ilsdc 3:2001cv00300 05/10/2001 555  
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34 TURNER EL, JAMES G ilsdc 3:2001cv00301 05/10/2001 530 06/26/2001  
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35 TURNER EL, JAMES G ilsdc 3:2001cv00472 07/16/2001 555 07/26/2001  
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36 TURNER EL, JAMES G ilsdc 3:2001cv00489 07/18/2001 540 07/27/2001  
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37 TURNER EL, JAMES G [ilsdc](#) [3:2001cv00527](#) 08/08/2001 555 08/29/2001  
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38 TURNER EL, JAMES G [ilsdc](#) [3:2001cv00557](#) 08/17/2001 555  
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39 TURNER EL, JAMES G [ilsdc](#) [3:2001cv00631](#) 09/24/2001 555 02/25/2002  
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40 TURNER EL, JAMES G [ilsdc](#) [3:2001cv00632](#) 09/24/2001 555  
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41 TURNER EL, JAMES G [ilsdc](#) [3:2001cv00734](#) 11/06/2001 555  
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## Seventh Circuit Court of Appeals

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00-8024 Turner-El, James G. v. Washington, Odie  
01-3886 Turner-El, James v. Agnello, Gino  
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90-2610 Turner-El v. Geraghty, Thomas F.  
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98-1814 Turner-El, James G. v. Page, Thomas F.  
98-1815 Turner-El, James G. v. Page, Thomas  
98-1816 Turner-El, James G. v. West, Mary  
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99-1845 Turner-El, James G. v. Rennison, Colleen  
99-2088 Turner-El, James G. v. Branche, Alfred  
99-2107 Turner-El, James G. v. Page, Thomas F.

Charles R. Schmadeke cschmadeke@hinshawlaw.com

Linda M. Wolters lwolters@atg.state.il.us, jedwards@atg.state.il.us, jginter@atg.state.il.us

**3:01-cv-248 Notice will not be electronically mailed to:**

James G Turner El  
#N-01161  
MENARD CORR  
Menard Corr Center  
PO Box 711  
Menard, IL 62259

#### IV. Statement of Claim:

State here as briefly as possible the facts of your case. Describe how each defendant is involved, including names, dates, and places. **Do not give any legal arguments or cite any cases or statutes.** If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

1. On or about October 2, 2007 defendant Feinerman determined plaintiff was bleeding internally and ordered plaintiff hospitalized at prison hospital, where he remained til November 2, 2007, before being released back to North II Disciplinary/Segregation Unit, even though defendant Feinerman had not determined origin of his bleeding.
2. Defendant Feinerman ordered several test to find source at plaintiff's bleeding, but each proved futile and final test was to be conducted at outside hospital.
3. Plaintiff suffers From High Blood Pressure; Hepatitis-C; Anemia; Internal bleeding, and he has pain in his lower right abdomen, no-medical-staff can explain; pain in both arms and hands and lower back pain, defendants Magdell and Feinerman refuse to give plaintiff anything for pain, subjecting plaintiff to unnecessary infliction of pain, with No medical treatment afforded.
4. On or about January 15, 2008 defendant Magdell determined plaintiff was bleeding out and his life was in danger and he

ordered a blood transfusion. However, even though the transfusion was to be done at Chester Memorial Hospital. Defendants Magdell, in conspiracy with defendants Feinerman, Horman, Unknown defendant Nurse and Unknown Hospital Administrator of Chester Memorial Hospital contrived scheme of how Blood Transfusion could be done at Menard, but, making it appear as though transfusion was conducted at Chester Memorial Hospital.

5. Defendant Magdell ordered a blood test, to determine plaintiff's blood type, so the blood could be ordered from Chester Memorial Hospital ~~would~~ that once blood was ordered plaintiff couldn't refuse to accept it, as it was expensive. A few hours later blood was delivered to Menard prison hospital.

6. Plaintiff was advised by defendant Unknown Nurse that he'd have to wear a wrist-band-some-tag, and once tag was on him he couldn't leave prison hospital for any reason. Then plaintiff was tagged.

7. Plaintiff immediately discovered that the wrist-band on his wrist illegally alleged plaintiff was at Chester Memorial Hospital to undergo the Blood Transfusion when plaintiff was at Menard prison hospital.

8. In conspiracy, corroboration and collusion by express and implied consent defendants Feinerman, Magdell and



Hulick authorized illegal blood transfusion to be done at Menard prison and defendant(s) Horman and Unknown Defendant Narse performed the actual transfusion, with no regard to plaintiff's health and safety. When plaintiff inquired as to why Chester's wrist-band was placed on his wrist, he was informed, that this way if any complications had occurred during transfusion and plaintiff died or suffered debilitating injury, Menard prison would not be liable.

9. Plaintiff knew blood transfusion was unlawfully performed and that defendant(s) were concerned with monetary gain. He only suffered damage to his blood vessels and was in pain 30 days.

10. Plaintiff prepared grievance complaint he gave defendant Howie January 18, 2008, to date, said defendant still refuses to address decide or return grievance complaint. <sup>2/</sup>

11. Plaintiff also sent a grievance in emergency to defendant Hulick who likewise has never addressed, decided or returned grievance complaint. However, plaintiff is not sure if emergency grievance was received by defendant Hulick, as defendant Unknown guards are tampering with plaintiff's legal/personal mail he sends to Circuit Court of Sangamon County and to his family and could have prevented mail from being received by defendant Hulick.

12. Plaintiff upon hearing nothing from defendant Hulick took appeal to defendant Walker Jr., by mailing grievance appeal to him by defendant Unknown guards, but, same has not been addressed decided nor returned, nor, has money voucher for postage been returned, guards could have stolen said mail.

13. All named defendants subjected plaintiff to imminent dangers by conducting an illegal blood transfusion.

14. All named Medical staff, their agents, employees, etc., each now refuses to afford plaintiff any medical treatment for his serious medical problems and will not schedule for Doctor's Call-Line, nor, will they afford any pain medications, subjecting plaintiff to constant nagging pain.

15. All named defendant(s) were acting under color of Illinois state law and each is sued in their individual and official capacities.

## I.

### LEGAL CLAIM COUNT I.

16. Defendant(s) Feinerman, Magdell, Hulick and Unknown Hospital Administrator of Chester Memorial Hospital acts and omissions made intentionally, knowingly, willfully, wantonly and arbitrarily in conspiracy,

- 6 -

<sup>2/</sup> Also gave defendant Goforth grievances to which she has never addressed, decided or returned.

corroboration and collusion by express and implied consent in bad faith, deliberate indifference and total reckless disregard of the plaintiff's life and safety condoned and authorized illegal blood transfusion under unlawful disguise, subjecting plaintiff to imminent dangers of serious physical injury, depriving him of his rights to due process, equal protection of the law and to be free from cruel and unusual punishment, in violation of the 5th, 8th and the 14th Amendments to the U.S. Constitution.

## II.

### LEGAL CLAIM COUNT II.

17. Defendant(s) Feinerman, Magdell, Horman and Unknown Defendant Nurse have conspired to deprive plaintiff of any further medical treatment, because he has prepared this complaint against them defendants are subjecting plaintiff to continued pain and suffering, and imminent dangers of serious physical injury by denying all medical treatment, same deprives plaintiff of due process, equal protection of the law and subjects him to cruel and unusual punishment in violation of the 5th, 8th and 14th Amendments to the U. S. Constitution.

## III.

### LEGAL CLAIM COUNT III.

18. Defendant(s) Horman and Unknown Defendant Nurse's acts and omissions of actually performing illegal blood transfusion, knowing full well they were placing plaintiff's life at risk and transfusion should have been done at Chester Memorial Hospital, shows the defendants acted intentionally and arbitrarily in conspiracy, corroboration and collusion by express or implied consent with defendant(s) Feinerman, Magdell, Halich and Unknown Hospital Administrator at Chester Memorial Hospital's fraud to make it appear transfusion was done legally at Chester Memorial Hospital, subjected plaintiff to imminent dangers of serious physical injury and denied him due process, equal protection of the law and to be free from cruel and unusual punishment in violation of the 5th, 8th and 14th Amendments to the U.S. Constitution.

## IV.

### LEGAL CLAIM COUNT IV.

19. Defendant(s) Goforth, Howie, Halich, Walker, Jr. and defendant Unknown Correctional guards acts and omissions done intentionally, wantonly, willfully, knowingly and arbitrarily in conspiracy, corroboration and collusion by express and implied consent in bad faith,

with deliberate indifference and total reckless disregard of the plaintiff's rights refused to process and/or forward his grievances and appeals thereby depriving him of an institutional/administrative remedy denying him of due process, equal protection of the law, and subjecting him to cruel and unusual punishment in violation of the 5th, 8th and 14th Amendments to the U.S. Constitution.

V.

LEGAL CLAIM COUNT V.

20. All named defendant(s) named and unknown acts and omissions deprives plaintiff of his rights under the Bill of Rights, Art 1, § 2 of the Illinois State Constitution.

VI.

LEGAL CLAIM COUNT VI.

21. All named defendant(s) and unknown named defendants acts and omissions deprived plaintiff of rights reserved by virtue of Illinois State and Federal law.

VII.

LEGAL CLAIM COUNT VII.

22. All named and unknown named defendant(s) acts and omissions were made in violation of IDOC Directives, Rules and Regulations.

**V. Relief:**

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

A) Declaratory judgement; B) Injunctive relief; c) Compensatory damages of \$250,000.00 (Two Hundred Fifty Thousand Dollars); assessed against each named defendant to be awarded plaintiff; D) Punitive damages of \$500,000.00 (Five Hundred Thousand Dollars) assessed against each named defendant to be awarded plaintiff; e) Defendants pay all costs; f) Reasonable Attorney fees; G) Criminal charges lodged; H) Any additional relief the Court deems just.

VI. The plaintiff demands that the case be tried by a jury. ☒ YES ☐ NO

**CERTIFICATION**

By signing this Complaint, I certify that the facts stated in this Complaint are true to the best of my knowledge, information and belief. I understand that if this certification is not correct, I may be subject to sanctions by the Court.

Signed this 17th day of June, 20 08

James M. Turner EP

(Signature of plaintiff or plaintiffs)

James G. Turner-46

(Print name)

N-01161

(I.D. Number)

Menard Correctional Center

P.O. Box 711

Chester, IL 62259

(Address)